

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

Civil 05-426 JNE/FLN

Plaintiff,

v.

O R D E R

Alden Randolph Banks,

Defendant.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated February 21, 2006, all the files and records, and no objections having been filed to said Report and Recommendation,

**IT IS HEREBY ORDERED** that Defendant's Motion to suppress evidence obtained as a result of 9/15/05 search and seizure [#36] is **DENIED**, that Defendant's Motion to suppress 9/15/05 statement [#37] is **GRANTED in part** and **DENIED in part**, and that all statements made by Defendant after he was issued a Miranda warning are admissible.

DATED: March 30, 2006.  
at Minneapolis, Minnesota

s/ Joan N. Ericksen  
JUDGE JOAN N. ERICKSEN  
United States District Court